

### **REMARKS/ARGUMENTS**

Reconsideration of this application is requested. Claims 3-7 will be active in the application subsequent to entry of this Amendment.

The claims have been amended in order to feature preferred aspects of the disclosure and focus on the method by which the cross-linked raw cord is prepared. Claims 1, 2 and 8-10 have been canceled as a consequence.

Claim 3 has been amended to feature the production method and in step (A) amended to include the information in Example 1, paragraph 73, page 21 of the description, specifying that acetic acid is the acid catalyst as in previous claim 8 and import structure from claim 2 into claim 3. Basis for the amendments made to claim 3 will be apparent from the above comments; no subject matter has been added. Consequential changes have been made to claims 4-7. With the cancellation of claim 1 the rejection stated in item 2 of the Official Action has been overcome. Similarly, by cancellation of the involved claims the rejections stated in items 5-7 have been overcome as these claims have been withdrawn.

This leaves for consideration the rejection stated in item 8 of the Official Action which cites and applies a total of eight separate documents. The rejection is traversed as the examiner has not established a *prima facie* case of obviousness as evidenced by the number of references applied to previous claims 3-7 (and other claims, now canceled).

As noted above, eight references have been asserted as the basis of the Examiner's obviousness rejection. As the courts have stated, the fact that it is necessary to cite such a large number of references is, in and of itself, indicative of non-obviousness. *Minneapolis-Honeywell Regulator Company v. Midwestern Instruments, Inc.*, 298 F.2d 36, 38, 131 U.S.P.Q. 402, 403 (7th Cir. 1961); *The Ric-Wil Company v. E.B. Kaiser Company*, 179 F.2d 401, 404, 84 U.S.P.Q. 121, 124 (7th Cir. 1950); *Reynolds et al v. Whitin Machine Works*, 167 F.2d 78, 83, 76 U.S.P.Q. 551, 555 (4th Cir. 1948); and *Racal-Vadic, Inc. v. Universal Data Systems*, 1980 U.S. Dist. LEXIS 15864, \*81, 207 U.S.P.Q. 902, 927 (N.D. Ala. 1980). Indeed, the inference that can be taken from the large reference citation is that not one reference is on point and that the patentee has clearly accomplished what the prior art has repeatedly failed to do. *Minneapolis-Honeywell Regulator Company v. Midwestern Instruments, Inc.*, 298 F.2d 36, 38, 131 U.S.P.Q. 402, 403 (7th Cir. 1961).

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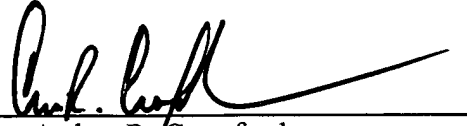
On this basis the rejection is defective as failing to establish a *prima facie* case of obviousness.

Reconsideration and favorable action are solicited. Should the examiner require further information, please contact the undersigned.

Respectfully submitted,

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